

Guidelines for Recent Experience Mediating Actual Cases

Pursuant to Part 146 of the Rules of the Chief Administrative Judge

I. Overview

To serve on court rosters, mediators must have recent experience mediating actual cases in the subject area of the types of cases referred to them. This is to ensure that mediators serving on court rosters provide the public with mediation services of the highest quality.

II. Recent Mediation Experience Requirements Shall be Determined by the Appropriate District Administrative Judge

- A. In adopting recent mediation experience requirements for new mediators serving on court rosters, each District Administrative Judge, in consultation with the UCS ADR Office, will develop options which may include part or all of the criteria described below:
 - i. Require new mediators to observe experienced mediators conducting a certain minimum number of actual mediations.
 - ii. Require new mediators to co-mediate with an experienced mediator on a certain minimum number of actual mediations.
 - iii. Require new mediators to participate in an approved apprenticeship program.
- B. Approved apprenticeship programs, such as the ones administered through the UCS Community Dispute Resolution Centers Program, typically require that participants:
 - i. Mediate or co-mediate at least two structured role-plays. Apprentice mediators should be given sufficient opportunity to: deliver an opening statement; help parties exchange information, identify negotiable issues, explore options for resolution; and draft a written agreement that incorporates the terms of the parties' resolution;
 - ii. Observe at least one mediation session involving an actual controversy between actual parties;
 - iii. Mediate or co-mediate at least five cases involving actual controversies between actual parties under the direct supervision of an experienced mentor mediator; and
 - iv. Mediate or co-mediate at least one case and either debrief with an experienced mentor mediator or complete a self-evaluation instrument at the conclusion of the mediation.
 - v. Be observed by a Program Director who determines whether the mediator is prepared to mediate on his or her own.
- C. District Administrative Judges, with the assistance of the UCS ADR Office, are encouraged to explore collaboration with their local Community Dispute Resolution Centers and other potential partners for providing apprenticeship options in their respective Judicial Districts.